

1 Honorable Marc Barreca
2 Hearing date: March 22, 2018; 9:30 a.m.
3 Hearing Place: Room 7106, 700 Stewart Street, Seattle, WA 98101
4 Responses due by: March 15, 2018; by 4:30 p.m.
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8 IN THE UNITED STATES BANKRUPTCY COURT FOR THE
9 WESTERN DISTRICT OF WASHINGTON AT SEATTLE

10 In re:) Chapter 7
11 BREAST CANCER PREVENTION FUND,) Bankruptcy No. 13-16150
12 Debtor(s).) SECOND APPLICATION BY
13 _____) ATTORNEY FOR TRUSTEE FOR
14) INTERIM COMPENSATION AND
15) SUPPORTING DECLARATION

16 **APPLICATION**

17 COMES NOW The Livesey Law Firm, and applies to this court for interim compensation
18 as the attorney for the Chapter 7 trustee in the amount of \$100,456.50 for fees and \$73.35 for costs
19 for a total of \$100,529.85. This application is based on the subjoined declaration of Rory C.
Livesey.

20 WHEREFORE your applicant prays that an allowance be made to it as compensation for
21 professional services rendered and costs as listed above.

22 DATED this 1st day of March, 2018.

23 THE LIVESEY LAW FIRM

24 _____
25 /S/ *Rory C. Livesey*

26 _____
27 Rory C. Livesey, WSBA #17601
28 Of Attorneys for Trustee

29 **DECLARATION**

30 The undersigned makes the following statement under penalty of perjury:

31 **SECOND APPLICATION BY ATTORNEY FOR
32 TRUSTEE FOR INTERIM COMPENSATION
33 AND SUPPORTING DECLARATION**
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35 THE LIVESEY LAW FIRM
36 600 Stewart Street, Suite 1908
37 Seattle, WA 98101
38 (206) 441-0826

1 1. I am over 18 years of age, am competent to testify to the statements herein and make
2 the statements herein based on facts personally known to me.

3 2. The Livesey Law Firm is the court appointed attorney for the trustee in the above-
4 captioned matter and makes this application for an allowance of compensation for professional
5 services rendered and for reimbursement of actual and necessary costs and expenses incurred by it
6 in the administration of the debtor's estate.

7 3. On January 1, 2015, this applicant was employed under a general retainer to represent
8 the trustee in this proceeding, pursuant to an order entered herein.

9 4. All services for which compensation is requested by your applicant were performed
10 for and on behalf of said trustee, and not on behalf of any committee, creditor, or other person.

11 5. Your applicant incorporates the services described in its interim fee application dated
12 February 27, 2015 (Docket 82) and the application of The Rigby Law Firm dated February 27, 2015
13 (Docket 81) herein by this reference.

I. INTRODUCTION

15 6. As described in prior applications, the debtor was a bankrupt charity. Its stated
16 purpose was to raise funds for breast cancer awareness and prevention. The debtor was started by
17 James C. Paton (“Paton”). Paton was the majority owner of Legacy Telemarketing Corporation
18 (“Legacy”). The debtor had contracted with Legacy as its primary fund raiser. Under the terms of
19 the agreement, Legacy kept 80 percent of every dollar donated to the debtor. Although arguably
20 offensive, the contract did not violate any statutes. However, it was alleged that Legacy was telling
21 potential donors that 90 percent of the funds collected were going towards charitable purposes. The
22 close relationship between Paton, Legacy and the debtor brought scrutiny from both the Internal
23 Revenue (“IRS”) and the State of Washington (“the State”). The State filed a \$20 million claim
24 against the estate.

25 7. The trustee employed Williams Kastner & Gibbs PLLC (“WKG”) as special counsel
to pursue claims against Legacy and Paton. A complaint was filed in the U.S. District Court. The

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1 debtor's accountant, Clark Nuber, P.S., was also named as a defendant. Although not directly a
2 party to the action, the State was very active in the adversary proceeding. It is by far the largest
3 creditor, with a claim in excess of \$18 million. In its negotiations with the trustee, the State agreed
4 to donate any recovery it may obtain from the estate to a similar charity.

5 8. After a couple of years of hard fought litigation, the claims against the defendants
6 were settled for \$5.2 million. Your applicant assisted the trustee and special counsel in working
7 through the various issues raised in the litigation and the settlement. Additionally, the settlement
8 posed unique questions with regard to the IRS. The debtor was a bankrupt charity that had lost its
9 tax exempt status and recovered \$5.2 million. This is an unusual scenario and there is not a lot of
10 guidance in how to address the estate tax returns. The default position is to treat the settlement
11 proceeds as income. That, however, would generate a nearly \$1 million administrative tax
12 obligation for the estate.

13 9. Your applicant is aware of the requirements of Local Rule 2016-1(c) regarding fee
14 requests in excess of \$15,000. Your applicant has broken its time into three broad categories. They
15 are General Administration, Adversary Claim and Tax Matters. The categories overlap a great deal.
16 In many instances the services billed to one category could just as easily be included in a different
17 category.

II. GENERAL ADMINISTRATION (“GA”)

19 10. Throughout this proceeding your applicant has communicated with the trustee and
20 professionals in her employ regarding various aspects of the case. I have also responded to
21 telephone calls and emails by various creditors.

22 11. There was approximately \$400,000 in the debtor's bank account at the time of the
23 filing of the bankruptcy petition. Those funds were used to pay interim administrative fees and to
24 reimburse WKG for costs incurred in the litigation. The motion for reimbursement of WKG's costs
25 had been comparably routine. However, the former directors of the debtor objected to one cost
motion. The directors were named as additional defendants in the adversary proceeding. They

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1 were dismissed on summary judgment. The directors were awarded attorney's fees. The directors
2 objected to the motion to reimburse WKG for expenses, arguing that their claims for attorney's fees
3 were entitled to administrative priority and disbursing funds at that time could leave insufficient
4 funds to pay their claims. Your applicant briefed the issue and prepared a response on behalf of the
5 trustee. Your applicant attended a hearing on the matter. The court denied the motion without
6 prejudice. The directors submitted a proposed order to the court for entry without giving the trustee
7 an opportunity to review it. The order contained findings that the trustee believed were not entirely
8 in keeping with the court's ruling. However, as the motion was denied without prejudice the trustee
9 did not pursue the matter. On a subsequent motion, an order authorizing reimbursement of WKG
10 expenses was submitted. In that order WKG agreed that, should there be insufficient funds to pay
11 administrative creditors in full, it would disgorge the costs reimbursement.

12 12. As explained in greater detail below, the \$5.2 million settlement contemplates nearly
13 \$2 million to be paid over a period of two years. After payment of special counsel, the estate has
14 approximately \$1.7 million. At the trustee's direction your applicant finalized the claims against
15 the estate. Other than the potential claims of the former directors, there are only five allowed
16 creditor claims in this case. The IRS has the sole priority claim at approximately \$65,000. The four
17 other claims are general unsecured claims, with the State having a claim of \$18,613,926. This was
18 the amount allowed pursuant to the settlement agreement. In conjunction with this fee application,
19 the trustee proposes to enter an order allowing claims against the estate. The order will also
20 authorize the trustee to pay the IRS in full and make a partial distribution to the general unsecured
21 creditors. It is expected that the former directors will file motions to have their claims allowed as
22 administrative claims. If their motion is granted, the trustee will pay those claims as well. If their
23 claims are allowed, but as general unsecured claims, they will receive a prorated distribution.

24 13. As part of the settlement Legacy was to withdraw its claim. It did not do so. Your
25 applicant prepared and filed an objection to Legacy's claim. It, too, is scheduled to be heard on the
 same date at this application. Legacy is not expected to respond.

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1 14. In order to reduce the administrative expenses and the potential bank charges, which
2 are based on the account balance, the trustee has also directed your applicant to request authority
3 for her to disburse to the general unsecured creditors the funds as they are paid, reserving sufficient
4 funds to cover future administrative expenses. The hearing on the motion will also be held on the
5 same date as the hearing on this application.

6 15. Your applicant has spent 50.4 hours on the General Administration in this case, or
7 \$18,369.00.

III. ADVERSARY CLAIM (“AC”)

9 16. The litigation with Paton, et. al., took over two years to complete. Obviously WKG
10 did the vast majority of the work on the adversary and achieved an excellent result. As general
11 counsel for the trustee, your applicant reviewed all of the pleadings on file in the adversary
12 proceeding. There were several summary judgment motions filed in the case, generally with results
13 favorable to the trustee. When requested, your applicant provided input into the motions and their
14 responses. The parties mediated over several days. Your applicant was involved in that process as
15 well. There were multiple conference calls with the trustee and WKG. There were also conference
16 calls with the trustee's accountant regarding aspects of the case. Through a series of intense
17 negotiations the settlement was ultimately reached. Your applicant reviewed the settlement
18 agreements and, again, provided input when asked. Similarly, your applicant reviewed the various
19 motions to approve the settlement. Ultimately the settlement was finalized. Clark Nuber paid the
20 estate \$2.6 million upon court approval. Under the terms of the agreement Paton was also to pay
21 the estate \$2.6 million. Originally he was to pay \$500,000 down and the balance would be paid over
22 a period of two years. To secure the debt Paton executed a deed of trust against his residence and
23 against a commercial building in Everett. The source of the payments was the quarterly distribution
24 from a limited partnership in which Paton has an interest. Those payments have been assigned to
25 the trustee and will be mailed directly to her. Your applicant reviewed the various securing

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1 documents. Paton actually paid \$700,000 as his initial payment. The trustee has received
2 installments from the partnership totaling approximately \$250,000.

3 17. Your applicant has spent 196.0 hours on the Adversary Claim in this case, or
4 \$73,387.50.

5 **IV. TAX MATTERS (“TM”)**

6 18. As mentioned above, the \$5.2 million settlement posed some unique tax issues for
7 the estate. Again, this was a charitable organization that had lost its tax exemption. The default
8 would be to treat the settlement proceeds as income. The trustee’s accountant estimated that the tax
9 payment would be approximately \$1 million. Conceptually, donors gave money to the debtor not
10 knowing that the funds would be properly or improperly diverted to Paton. The trustee and her
11 professionals viewed the recovery as a way of fulfilling the donors’ intent by having most of the
12 money paid to the estate which, in turn, would pay it to a similar charity. As such, the prospect that
13 \$1 million of the recovery would be paid to the IRS did not sit well.

14 19. Your applicant worked with the accountant on addressing that aspect of the
15 settlement. There was little question that the settlement proceeds would be treated as income to the
16 bankruptcy estate. The question was whether the funds paid out could be deductible, thereby
17 eliminating any tax obligation. As mentioned, there was not a lot of authority to guide the trustee
18 under these circumstances. It was determined that the funds paid to the State could be deductible
19 as the State had agreed to donate the funds under the cy pres doctrine. Because of the unique
20 situation, the trustee determined that it would be appropriate to obtain a second opinion on that
21 approach. At the trustee’s direction you applicant obtained employment for Bruce J. Devereaux,
22 CPA, to review the materials and offer an opinion on the trustee’s approach. Mr. Devereaux agreed
23 that the approach was reasonable. Of course, that does not necessarily mean that the IRS has to
24 agree. The returns were prepared showing no tax owed. They were filed with the IRS along with
25 a request for a prompt determination. It is expected that the IRS will respond prior to the hearing
on this application, if it responds at all. As an alternative, in case the IRS does not agree with the

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trustee's approach (assuming there is no appeal by the trustee of the IRS's determination), the trustee has structured the case as to maximize the administrative expenses to help reduce the worst case scenario for the taxes.

4 20. Your applicant has spent 23.2 hours on the Tax Matters in this case, or \$8,700.00.

V. CONCLUSION

6 21. The estate could be open for two more years as the trustee collects the payments on
7 the Paton settlement. As discussed above, the trustee is seeking authority to disburse the payments
8 to the creditors as they come in. Your applicant will continue to monitor the situation on behalf of
9 the trustee. Assuming the IRS accepts the trustee's 2017 return, there should be no need to file
10 another return for the estate as the debtor is now an accrual basis taxpayer. Once the trustee receives
11 the final payment she will close the case.

12 22. I have received no payments and no promises for payments from any source for
13 services rendered or to be rendered in any capacity whatsoever in connection with this case, and
14 there is no agreement or understanding between myself and any other person other than members
15 of my firm for sharing of the compensation to be received for services rendered in this case.

16 23. No previous allowance has been made to the attorney in this matter, except for
17 \$4,523.15 pursuant to court order dated March 20, 2015.

18 24. My standard rate of compensation for the relevant time period is set forth below.
19 That from the time of being appointed by the trustee until the date of this application I have spent
20 the following time on this matter:

	<u>DATE</u>	<u>STANDARD HOURLY RATE</u>	<u>HOURS</u>	<u>AMOUNT</u>
RORY C. LIVESEY - ATTORNEY				
21	February 27, 2015 through December 31, 2015	\$375.00	44.0	\$ 16,500.00
22	January 1, 2016 through December 31, 2016	\$375.00	102.0	\$ 38,250.00
23				
24				
25				

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1	January 1, 2017 through December 31, 2017	\$375.00	100.2	\$ 37,575.00
2	January 1, 2018 through date of this application	\$375.00	20.6	\$ <u>7,725.00</u>
4	Subtotal for attorney:			\$ 100,050.00

PATRICIA K. JOHNSON - LEGAL ASSISTANT

	February 27, 2015 through December 31, 2015	\$135.00	0.9	\$ 121.50
	January 1, 2016 through December 31, 2016	\$150.00	1.4	\$ 210.00
	January 1, 2017 through December 31, 2017	\$150.00	0.4	\$ 60.00
	January 1, 2018 through date of this application	\$150.00	0.1	\$ 15.00
	Subtotal for legal assistant			\$ 406.50
	TOTAL:			\$ 100,456.50

That \$100,456.50 is a reasonable fee in this matter. Applicant is unable to reasonably determine future fees and expenses in concluding the administration of this case.

16 25. My firm has incurred several costs in the course of representing the trustee as
17 follows:

<u>ITEM</u>	<u>AMOUNT</u>
a. Copies	\$ 40
b. Pacer Charges	\$ 0
c. Fee for Audio CD Request	\$ 31
TOTAL:	\$ 73

26 The amount of unencumbered funds in the estate is approximately \$1.7 million.

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1 27. The type and amount of other claims with a priority equal to or higher than those of
2 the applicant are as follows: the trustee, the trustee's accountants and potentially the former
3 directors of the debtor.

4 28. The status of the case is as follows: continue to collect and disburse the settlement
5 proceeds and close the case.

6 DATED this 1st day of March, 2018.

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/S/ *Rory C. Livesey*

Rory C. Livesey

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(206) 441-0826**

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ACCOUNT NO: 2025-00

James/Breast Cancer Prevention Fund

PREVIOUS BALANCE	\$4,523.15
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		HOURS
02/27/2015		
RCL	Telephone conference with Manish Borde	0.20 AC
PKJ	Electronically file and docket notice of presentation	0.10 GA
PKJ	Electronically file and docket notice, motion and proof of service re: paying claim	0.20 GA
PKJ	Electronically file and docket fee applications, notice of hearing and proof of service	0.20 GA
03/02/2015		
RCL	Telephone conference with trustee	0.20 GA
03/03/2015		
RCL	Telephone conference with trustee	0.20 GA
03/04/2015		
RCL	Review Paton and Legacy objections to subpoenas; Prepare email to Manish Borde; Telephone conference with Carl Hu <i>(0.2)</i>	0.60 AC .4 GA .2
03/06/2015		
RCL	Prepare email to Manish Borde	0.20 AC
03/09/2015		
RCL	Telephone conference with trustee re: creditor inquiries	0.20 GA
03/14/2015		
RCL	Prepare email to Denice Moewes re: IRS claim	0.20 GA

James, Nancy

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12/31/2015

ACCOUNT NO: 2025-00

James/Breast Cancer Prevention Fund

			HOURS
03/16/2015	RCL	Telephone conference with trustee re: objection; Prepare email to Denice Moewes <i>(0.2)</i> <i>(0.2)</i>	0.40 <i>GA</i>
03/17/2015	RCL	Prepare email to Denice Moewes; Prepare email to trustee; Prepare email to Manish Borde <i>(0.2)</i> <i>(0.2)</i> <i>(0.2)</i>	0.60 <i>GA</i>
03/18/2015	RCL	Telephone conference with trustee re: notice of levy; Telephone conference with Richard Ginnis; Telephone conference with trustee <i>(0.2)</i> <i>(0.2)</i> <i>(0.2)</i>	0.60 <i>TM</i>
03/19/2015	RCL	Telephone conference with Sarah Shifley	0.20 <i>AC</i>
	PKJ	Electronically file and docket proposed order denying final order on claims	0.10 <i>GA</i>
03/20/2015	RCL	Telephone conference with trustee re: IRS claim	0.20 <i>TM</i>
03/23/2015	RCL	Prepare email to Denice Moewes	0.20 <i>GA</i>
03/24/2015	RCL	Prepare email to Denice Moewes; Telephone conference with Richard Ginnis <i>(0.2)</i> <i>(0.2)</i>	0.40 <i>CD</i>
03/25/2015	RCL	Telephone conference with Manish Borde	0.20 <i>AC</i>
04/01/2015	RCL	Prepare email to Manish Borde; Telephone conference with trustee <i>(0.2)</i> <i>(0.2)</i>	0.40 <i>DC</i>
04/02/2015	RCL	Prepare email to Denice Moewes	0.20 <i>GA</i>
04/03/2015	RCL	Prepare email to Denice Moewes	0.20 <i>GA</i>
04/07/2015	RCL	Prepare emails to trustee; Telephone conference with Manish Borde <i>(0.4)</i> <i>(0.2)</i>	0.60 <i>GA .4</i> GA .2 <i>AC 0.2</i>

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James/Breast Cancer Prevention Fund

			HOURS
04/09/2015	RCL	Telephone conference with trustee -(0.2)	0.20 GA
04/15/2015	RCL	Telephone conference with trustee re: Paton claim; Prepare email to Manish Borde -(0.2)	0.40 AC
04/20/2015	RCL	Prepare email to Richard Ginnis (0.2)	0.20 TM
04/21/2015	RCL	Telephone conference with Manish Borde; Telephone conference with trustee -(0.2)	0.40 AC
04/22/2015	RCL	Telephone conference with Richard Ginnis; Telephone conference with trustee; Prepare email to Denice Moewes (0.2) -(0.2) (0.2)	0.60 TM .2 GA .4
04/24/2015	RCL	Prepare email to Denice Moewes (0.2) -(0.2)	0.20 GA
	RCL	Prepare email to Denice Moewes; Prepare email to Manish Borde -(0.2) -(0.2)	0.40 GA .2 DC .2
04/27/2015	RCL	Telephone conference with Sarah Shifley; Prepare email to Manish Borde; Prepare email to interested parties re: -(0.2) meeting; Telephone conference with trustee; Telephone conference with Manish Borde -(0.2) -(0.2)	1.00 AC
	RCL	Prepare email to Ed Clark (0.2) -(0.2)	0.20 GA
04/29/2015	RCL	Telephone conference with trustee; Review emails re: discovery; Prepare motion and order to pay expenses; Telephone conference with Richard Ginnis; Prepare email to Manish Borde -(0.2) -(0.2)	1.20 GA .6 DC .4 TM .2
04/30/2015	RCL	Prepare email to Manish Borde; Telephone conference with same -(0.2) -(0.2)	0.40 AC
05/01/2015	PKJ	Electronically file and docket motion and order to pay expense	0.10 GA

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James/Breast Cancer Prevention Fund

		HOURS
05/04/2015	RCL Prepare email to participants re: meeting	0.20 AC
05/05/2015	RCL Telephone conference with trustee; Prepare for and attend meeting with Ed Clark, Denice Moewes, Richard Ginnis, Sarah Shifley, Scott Henrie and Manish Borde	2.80 DL
	/ (0.4) / (2.4)	
05/06/2015	RCL Telephone conference with trustee re: various matters	0.20 GA
	/ (0.2) / (0.2)	
05/06/2015	RCL Prepare email to Manish Borde; Telephone conference with trustee; Telephone conference with Richard Ginnis - (0.2)	0.60 AC .4 TM .2
05/12/2015	RCL Telephone conference with Richard Ginnis; Prepare email to Denice Moewes	0.40 TM .2 GL .2
	/ (0.2) / (0.2)	
05/18/2015	RCL Telephone conference with Sarah Shifley; Telephone conferences with Manish Borde; Telephone conference - (0.2) with Richard Ginnis; Telephone conference with trustee - (0.2)	1.00 AC
	/ (0.2) / (0.4)	
05/23/2015	RCL Prepare emails to Manish Borde; Prepare motion and order to pay expenses	0.80 AC .4 GA .4
05/27/2015	PKJ Electronically file and docket motion and order to pay expenses	0.10 GA
05/29/2015	RCL Prepare email to Manish Borde re: order to pay expense	0.20 GB
06/15/2015	RCL Telephone conference with Richard Ginnis	0.20 TM
06/16/2015	RCL Telephone conference with Manish Borde; Telephone conference with trustee; Prepare email to same - (0.2)	0.60 AC
	/ (0.2) / (0.2)	
06/18/2015	RCL Telephone conference with Richard Ginnis; Telephone conference with Manish Borde - (0.2)	0.40 AC

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James/Breast Cancer Prevention Fund

			HOURS
06/19/2015	RCL	Review emails and proposed Clark Nuber tolling agreement; Telephone conference with Richard Ginnis - (0.2)	0.40 AC 2 TM 2
06/20/2015	RCL	Prepare email to Manish Borde	0.20 AC
06/22/2015	RCL	Telephone conference with trustee re: claims	0.20 GA
06/23/2015	RCL	Prepare email to trustee; Telephone conference with trustee - (0.2) (0.2)	0.40 GA
06/26/2015	RCL	✓ (0.2) Prepare email to Manish Borde; Telephone conference with trustee - (0.2)	0.40 AC
06/29/2015	RCL	Review Legacy complaint; Telephone conference with Manish Borde; Telephone conference with trustee; - (0.2) Conference call with trustee and Manish Borde - (1.0)	2.00 AC
07/16/2015	RCL	Telephone conference with Manish Borde	0.20 AC
07/17/2015	RCL	- (0.2) Review pleadings; Prepare email to Manish Borde (0.2)	0.40 AC
07/25/2015	RCL	Prepare email to Richard Ginnis re: IRS notice	0.20 TM
07/27/2015	RCL	- (0.2) Prepare email to Richard Ginnis re: IRS levy; Prepare email to trustee; Prepare email to Manish Borde; - (0.2) Telephone conference with Richard Ginnis (0.2)	0.80 TM .6 AC 2
07/28/2015	RCL	Prepare email to Richard Ginnis	0.20 TM
08/06/2015	RCL	Prepare email to trustee	0.20 GA
08/10/2015	RCL	(0.4) Review pleadings in adversary; Telephone conference with trustee (0.2)	0.60 AC

James, Nancy

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James/Breast Cancer Prevention Fund

			HOURS
08/19/2015	RCL	Telephone conference with Manish Borde	0.20 AC
08/27/2015	RCL	Prepare email to Manish Borde re: adversary	0.20 AC
08/29/2015	RCL	(0.2) Review files; Prepare email to Manish Borde	0.40 AC
08/31/2015	RCL	(0.2) Telephone conference with Scott Henrie and Manish Borde; Prepare email to same - (0.2)	0.40 AC
09/01/2015	RCL	(0.4) Prepare emails to Scott Henrie; Review pleadings re: prejudgment writ in adversary proceeding	1.00 AC
09/02/2015	RCL	Telephone conference with trustee re: adversary	0.20 AC
09/03/2015	RCL	Telephone conference with Manish Borde	0.20 AC
09/04/2015	RCL	Telephone conference with Manish Borde re: adversary	0.20 AC
09/08/2015	RCL	Telephone conference with trustee	0.20 GA
09/10/2015	RCL	Telephone conference with Richard Ginnis	0.20 RH
09/14/2015	RCL	(0.4) Review adversary pleadings; Prepare email to Manish Borde	0.80 AC
09/17/2015	RCL	(0.2) Telephone conference with Manish Borde; Prepare email to trustee	0.40 AC
09/18/2015	RCL	(0.2) Prepare email to Manish Borde re: litigation; Review adversary pleadings	0.60 AC

James, Nancy

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12/31/2015

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James/Breast Cancer Prevention Fund

		HOURS
09/21/2015	RCL Telephone conference with trustee and Manish Borde	1.20 AC
09/26/2015	RCL Review adversary pleadings	0.40 AC
10/01/2015	RCL <i>(0.4)</i> Review Clark Nuber complaint; Prepare emails to Manish Borde; Prepare motion and order to pay expenses <i>(0.4)</i>	1.20 AC- GA- 1
10/06/2015	PKJ Electronically file and docket motion and order to pay expenses	0.10 GA
10/08/2015	RCL Prepare email to Manish Borde	0.20 AC
10/19/2015	RCL <i>(0.2)</i> Review emails re: adversary; Telephone conference with trustee	0.40 AC
10/20/2015	RCL Telephone conference with Manish Borde	0.20 AC
10/22/2015	RCL <i>(0.2)</i> Telephone conference with trustee re: adversary; Telephone conference with Manish Borde; Prepare email to same <i>(0.2)</i> <i>(0.2)</i>	0.60 AC
10/26/2015	RCL <i>(0.4)</i> Telephone conferences with trustee; Prepare emails to Manish Borde; Telephone conference with same <i>(0.2)</i> <i>(0.4)</i>	1.00 AC
11/04/2015	RCL Prepare email to Manish Borde re: one defendant's bankruptcy	0.20 AC
11/13/2015	RCL <i>(0.2)</i> Telephone conference with Manish Borde re: Clark Nuber; Prepare email to same; Review draft Clark Nuber complaint <i>(0.2)</i> <i>(0.4)</i>	0.80 AC
	RCL Telephone conference with trustee and special counsel	0.60 AC
11/16/2015	RCL Telephone conference with Manish Borde	0.20 AC

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12/31/2015

ACCOUNT NO: 2025-00

James/Breast Cancer Prevention Fund

			HOURS
11/19/2015	RCL	Review Clark Nuber demand; Review adversary files; Telephone conference with Manish Borde; Prepare email to same <i>- (0.4)</i> <i>\ (0.2)</i>	<i>- (0.6)</i> <i>\ (0.2)</i> 1.40 AC
11/20/2015	RCL	Telephone conference with Manish Borde re: litigation	0.20 AC
11/21/2015	RCL	Prepare email to Manish Borde	0.20 AC
11/23/2015	RCL	Telephone conference with Richard Ginnis; Review motion for clarification by special counsel; Telephone conference with trustee <i>- (0.2)</i> <i>\ (0.2)</i>	0.60 TM AC-LI
11/24/2015	RCL	Telephone conference with trustee and Manish Borde re: adversary proceeding	0.60 AC
11/25/2015	RCL	Telephone conference with Richard Ginnis	0.20 TM
12/02/2015	RCL	Prepare email to Manish Borde re: mediation; Review year end billing statements	0.40 AC-2 G4-2
12/03/2015	RCL	Telephone conference with Richard Ginnis	0.20 TM
12/09/2015	RCL	Telephone conference with trustee re: mediation; Review tolling agreement; Prepare email to Manish Borde <i>- (0.2)</i> <i>\ (0.2)</i>	0.60 AC
12/10/2015	RCL	Prepare email to Manish Borde; Telephone conference with trustee; Review revised tolling agreement - (0.2) <i>- (0.2)</i> <i>- (0.2)</i>	0.60 AC
12/11/2015	RCL	Telephone conference with trustee re: adversary proceedings	0.20 AC
12/14/2015	RCL	Telephone conference with Manish Borde; Telephone conference with trustee <i>- (0.2)</i> <i>- (0.2)</i>	0.40 AC

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12/31/2015
ACCOUNT NO: 2025-00

James/Breast Cancer Prevention Fund

		HOURS
12/15/2015	(0.2) RCL Review emails re: mediation; Review pleadings re: withdrawal of reference	0.60 AC
12/16/2015	RCL Telephone conference with trustee re: mediation	0.20 AC
12/28/2015	RCL Telephone conference with trustee re: mediation	0.20 AC
12/29/2015	(0.4) RCL Prepare emails to Manish Borde; Review mediation materials	0.60 AC
	FOR CURRENT SERVICES RENDERED	<u>44.90</u> <u>16,621.50</u>

Photocopies	21.00
Miscellaneous Costs	31.50
TOTAL ADVANCES	52.50

03/25/2015	Payment - Thank You	-17.15
03/25/2015	Payment - Thank You	<u>-4,506.00</u>
	TOTAL PAYMENTS	-4,523.15
	BALANCE DUE	\$16,674.00

Rory C. Livesey - \$375.00/hr
Patricia K. Johnson - \$135.00/hr

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James/Breast Cancer Prevention Fund

PREVIOUS BALANCE \$16,674.00

		HOURS
01/02/2016	RCL Review email from Manish Borde re: adversary	0.40 AC
01/05/2016	RCL Telephone conference with trustee re: adversary	0.20 AC
01/07/2016	RCL Prepare emails to Manish Borde	0.40 DC
01/12/2016	RCL Telephone conference with trustee re: mediation	0.20 AC
01/13/2016	RCL Telephone conference with Richard Ginnis; Prepare emails to Manish Borde	0.60 TM .2 AC -4
01/17/2016	RCL Review mediation submissions	2.00 AC
01/18/2016	RCL Prepare for and attend mediation	7.00 AC
01/19/2016	RCL Telephone conference with Richard Ginnis; Review files re: Legacy; Prepare email to Manish Borde - (0.2)	1.00 TM .2 AC -8
01/20/2016	RCL Telephone conference with trustee re: mediation; Telephone conference with Manish Borde - (0.2)	0.40 AC
01/22/2016	RCL Telephone conference with Manish Borde re: taxes	0.20 TM

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James/Breast Cancer Prevention Fund

		HOURS
01/27/2016	RCL Telephone conference with trustee re: adversary	0.20 <i>AC</i>
02/05/2016	RCL Email traffic re: status conference	0.20 <i>AC</i>
02/08/2016	RCL Telephone conference with Nancy James, Manish Borde and Scott Henrie	1.00 <i>AC</i>
02/09/2016	RCL Telephone conference with trustee; Prepare email to Manish Borde <i>(0.2) (0.2)</i>	0.40 <i>AC</i>
02/15/2016	RCL Email traffic re: special counsel expenses; Prepare notice, motion and order to pay expenses <i>- (0.8) \ (0.6)</i>	1.40 <i>AC-8 GL-6</i>
02/17/2016	PKJ Electronically file and docket notice and motion to pay expenses	0.10 <i>CA</i>
	PKJ Prepare e-mail to court clerk re: sending notice to BNC for mailing	0.10 <i>CA</i>
02/18/2016	RCL Telephone conference with trustee re: State of Washington; Review amended claim <i>- (0.2)</i>	0.40 <i>AC</i>
02/23/2016	RCL Review subpoena; Prepare email to Alan Wenokur; Prepare email to Manish Borde <i>- (0.2)</i> <i>- (0.2) - (0.2)</i>	0.60 <i>AC</i>
03/11/2016	RCL Prepare email to Manish Borde; Telephone conference with trustee <i>- (0.2) - (0.2)</i>	0.40 <i>AC</i>
	PKJ Electronically file and docket declaration of no objections and proposed order to pay expenses	0.10 <i>GA</i>
03/12/2016	RCL Review expert resume; Review emails; Prepare email to Manish Borde <i>- (0.2) - (0.2) - (0.2)</i>	0.60 <i>AC</i>

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ACCOUNT NO: 2025-00

James/Breast Cancer Prevention Fund

			HOURS
03/14/2016	RCL	- (0.2) Telephone conference with trustee re: status; Telephone conference with Manish Borde	0.80 AC
03/15/2016	RCL	Prepare email to trustee re: expenses	0.20 GA
03/18/2016	RCL	- (0.6) Email traffic re: lawsuit; Review memo re: claim objections	1.20 AC
03/19/2016	RCL	- (0.4) Review State of Washington amended claim; Review statutes and case law cited in same	1.00 AC
03/21/2016	RCL (0.2)	- (0.2) Research re: standing; Prepare email to Manish Borde; Telephone conference with trustee; Prepare email to same; - (0.2) Review expert resumes - (0.2)	1.00 AC
03/22/2016	RCL	- (0.6) Research re: Rule 3008; Prepare memo to file re: Rules 3007 and 3008	1.00 AC
03/23/2016	RCL	- (0.2) Prepare email to Manish Borde; Conference with Scott Henrie and Manish Borde	1.20 AC
03/24/2016	RCL	Telephone conference with trustee re: adversary	0.40 AC
03/26/2016	RCL	- (0.8) Review adversary pleadings; Prepare notice, motion and order re: claim; Prepare email to Manish Borde - (0.2)	1.60 AC
03/28/2016	RCL	Telephone conference with trustee	0.20 GA
03/30/2016	RCL	Telephone conference with trustee re: claims	0.20 GA
03/31/2016	RCL	- (0.2) Telephone conference with Manish Borde; Prepare email to same	0.40 AC
04/01/2016	RCL	Telephone conference with trustee	0.20 GA

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James/Breast Cancer Prevention Fund

		HOURS
04/11/2016	RCL Review correspondence re: adversary; Prepare email to Manish Borde; Telephone conference with trustee - (0.2)	1.40 AC
	RCL Telephone conference with trustee and litigation counsel	1.40 AC
04/12/2016	RCL Telephone conference with Sarah Shifley; Telephone conference with trustee; Telephone conference with Richard Ginnis; Telephone conference with Manish Borde; - (0.2) Prepare email to Sarah Shifley - (0.2)	1.20 AC
	RCL Prepare email to trustee	0.20 GA
04/13/2016	RCL Prepare email to Sarah Shifley; Telephone conference with trustee	0.40 GA AC
	PKJ Electronically file and docket notice and motion allowing claims	0.10 GA
	PKJ Prepare e-mail to court clerk re: sending notice to BNC for mailing	0.10 GA
04/14/2016	RCL Review district court decision; Prepare email to Manish Borde re: same	0.60 GA AC
04/18/2016	RCL Telephone conference with Richard Ginnis re: litigation; Telephone conference with Manish Borde - (0.2)	0.40 GA AC
04/19/2016	RCL Review donor declaration; Telephone conference with trustee; Review district court decision re: adversaries - (0.2)	0.60 AC
04/20/2016	RCL Review declarations; Telephone conference with Richard Ginnis; Prepare email to Manish Borde; Telephone conference with trustee; Prepare email to Dick Wotipka - (0.2) - (0.2)	0.80 AC
	RCL Telephone conference with Manish Borde	0.20 AC
04/21/2016	RCL Telephone conference with trustee; Prepare email to	(0.2) (0.2)

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James/Breast Cancer Prevention Fund

			HOURS	AC-0.2 GL-2 AC
	Manish Borde		0.40	
RCL	Telephone conference with Nancy James and Manish Borde		0.40	AC
04/25/2016		- (0.2)		
RCL	Telephone conference with trustee re: discovery in adversary; Review memorandum re: accountant/client privilege	- (0.2)	0.40	AC AC
04/26/2016		(0.2) (0.2)		
RCL	Prepare email to Manish Borde; Telephone conference with Richard Ginnis		0.40	AC
04/27/2016		- (0.2)		
RCL	Telephone conference with Manish Borde; Research records; Prepare email to same	- (0.2)	0.60	AC
04/29/2016		- (0.2)		
RCL	Telephone conference with Manish Borde; Telephone conference with trustee	- (0.2)	0.40	AC AC
05/02/2016		- (0.6)		
RCL (0.8)	Prepare notice, motion and order re: litigation expense; Begin review of expert reports; Telephone conference with Richard Ginnis	\ (0.2)	1.60	GL-8 AC-8
RCL	Prepare email to Manish Borde		0.20	AC AC
05/03/2016		- (0.2)		
RCL	Telephone conference with trustee re: advances; Prepare email to Manish Borde	- (0.2)	0.40	AC
PKJ	Electronically file and docket notice and motion to pay administrative expenses		0.10	GA
PKJ	Prepare e-mail to court clerk re: sending notice to BNC for mailing		0.10	GA
05/04/2016		- (0.2) / (0.2) - (0.2)		
RCL	Prepare email to Scott Henrie; Telephone conference with trustee; Prepare email to Scott Henrie; Telephone conference with Sarah Shifley; Prepare email to Manish Borde	\ (0.2)	1.00	GA

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James/Breast Cancer Prevention Fund

		HOURS
05/05/2016	RCL Prepare emails to Jane Pearson re: claims order - (0.4) - (0.2)	0.40 <i>GA</i>
05/09/2016	RCL Review donor lists; Prepare email to trustee re: same; Prepare to Manish Borde - (0.2) - (0.2) - (0.2)	0.80 <i>AC</i>
05/11/2016	RCL Research re: defendants' administrative claims; Prepare email to Manish Borde; Telephone conference with trustee - (0.2) - (0.2)	2.40 <i>GA</i>
05/12/2016	RCL Prepare email to Manish Borde; Telephone conference with same - (0.2) - (0.4)	0.60 <i>GA</i>
05/13/2016	RCL Telephone conference with trustee re: donor claims - (0.2) - (0.4)	0.20 <i>GA</i>
05/18/2016	RCL Prepare email to Kim Kelley; Telephone conference with trustee re: deposition - (0.2)	0.60 <i>GA</i>
05/23/2016	RCL Telephone conference with trustee re: deposition; Telephone conference with Richard Ginnis - (0.2) - (0.2)	0.40 <i>AC</i> <i>fm. 2</i>
05/25/2016	RCL Telephone conferences with Manish Borde; Prepare emails to same; Telephone conference with trustee - (0.2) - (0.6) - (0.4)	1.20 <i>AC</i>
	PKJ Confirm hearing, requesting continuance - (0.2) - (0.2)	0.10 <i>EGA</i>
05/26/2016	RCL Prepare email to Manish Borde; Prepare email to Jane Pearson - (0.2) - (0.2)	0.40 <i>AC</i>
05/27/2016	RCL Telephone conference with trustee re: costs - (0.2)	0.20 <i>GA</i>
05/31/2016	RCL Review various adversary pleadings and donor declarations - (1.2)	0.40 AC
06/06/2016	RCL Review summary judgment motion and defendant's motion for 12(c) ruling; Telephone conference with Manish Borde - (0.4) - (1.2)	1.60 <i>AC</i>

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James/Breast Cancer Prevention Fund

		HOURS
06/07/2016	RCL Prepare email to Denice Moewes; Telephone conference with Manish Borde; Telephone conference with trustee; - (0.2) Prepare letter to donors - (0.2)	0.80 GA GA-0.4 AC AC-0.4
06/08/2016	RCL Telephone conference with trustee; Prepare email to Kim Kelly; Review district court order; Prepare emails to Manish Borde; Telephone conference with Aric Bomsztyk; Prepare email to trustee; Telephone conference with same (0.2)	1.40 AC AC
06/09/2016	RCL Review objections to motion to disburse; Prepare email to Manish Borde; Telephone conference with same (0.2)	0.80 AC AC
06/10/2016	RCL Review additional responses; Prepare email to Manish Borde; Prepare email to Denice Moewes; Telephone conference with trustee (0.2) (0.2)	1.20 AC AC
	RCL Telephone conference with Scott Henrie and Manish Borde; Telephone conference with trustee (0.6)	0.80 AC AC
06/11/2016	RCL Review responses; Research re: administrative claims; Prepare reply - (0.8)	3.00 GA
06/13/2016	RCL Review and revise reply; Additional research; Prepare email to Scott Henrie and Manish Borde re: same; - (0.2) Telephone conference with same (0.4) (1.2) (0.4)	2.20 GA
	RCL Telephone conference with trustee; Prepare email to Manish Borde; Finalize reply (0.4)	0.80 GA
	PKJ Electronically file and docket reply to objections to motion to pay expenses	0.10 GA
06/14/2016	RCL Telephone conference with trustee re: motion	0.20 GA
06/15/2016	RCL Review supplemental response	0.20 GA

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James/Breast Cancer Prevention Fund

		HOURS	
06/16/2016	RCL	Prepare for and attend hearing on motion for expenses; Telephone conferences with Manish Borde; Telephone conference with Denice Moewes <i>(2.0)</i> <i>(0.2)</i> <i>(0.2)</i>	2.60 <i>AC</i>
06/17/2016	RCL	Telephone conference with Michael Patterson, attorney for Sheehans; Telephone conference with Manish Borde; Telephone conference with trustee <i>(0.4)</i> <i>(0.2)</i> <i>(0.2)</i>	0.80 <i>AC</i>
06/21/2016	RCL	Review response to 12(c) motion	0.80 <i>AC</i>
06/23/2016	RCL	Telephone conference with trustee re: status; Prepare email to Manish Borde <i>(0.2)</i> <i>(0.2)</i>	0.40 <i>AC</i>
06/27/2016	RCL	Prepare email to Manish Borde; Telephone conference with trustee; Prepare email to same <i>(0.2)</i> <i>(0.2)</i> <i>(0.2)</i>	0.60 <i>AC</i>
06/28/2016	RCL	Telephone conference with trustee; Review Clark Nuber reply <i>(0.2)</i> <i>(0.4)</i>	0.60 <i>AC</i>
06/29/2016	RCL	Prepare email to Manish Borde; Conference call with trustee, Scott Henrie and Manish Borde <i>(0.2)</i> <i>(1.2)</i>	1.40 <i>AC</i>
07/07/2016	RCL	Prepare email to Aric Bomstzyk	0.20 <i>AC</i>
07/11/2016	RCL	Telephone conference with Manish Borde re: trial	0.20 <i>AC</i>
07/14/2016	RCL	Review district court pleadings	0.20 <i>AC</i>
07/15/2016	RCL	Prepare email to Manish Borde	0.20 <i>AC</i>
07/18/2016	RCL	Telephone conference with trustee re: adversary	0.20 <i>AC</i>
07/29/2016	PKJ	Review files and gather records re: discovery response	0.50 <i>AC</i>

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James/Breast Cancer Prevention Fund

		HOURS
08/01/2016	RCL , (0.2) , (0.4)	
	Telephone conference with Manish Borde; Review emails re: pending trial	0.60 AC
08/02/2016	RCL Email traffic re: mediation	0.60 AC
08/03/2016	RCL , (1.4) , (0.2)	
	Review emails with attorney general re: discovery request in adversary; Prepare email to Manish Borde re: same; Telephone conference with trustee - (0.2)	1.80 AC
	RCL Telephone conference with Manish Borde	0.20 AC
08/08/2016	RCL Telephone conference with trustee re: adversary mediation	0.20 AC
08/09/2016	RCL , (0.2) , (0.2) Review emails re: mediation; Telephone conference with trustee re: same; Telephone conference with accountant , (0.2)	0.60 AC
08/11/2016	RCL Telephone conference with Manish Borde	0.20 AE
08/13/2016	RCL Prepare email to Manish Borde	0.20 AC
08/16/2016	RCL Telephone conference with Manish Borde	0.20 AC
08/17/2016	RCL Telephone conference with trustee re: mediation	0.20 AC
08/19/2016	RCL , (0.2) Telephone conference with trustee re: adversary proceedings; Telephone conference with Scott Henrie and Manish Borde , (0.2)	0.40 AC
08/23/2016	RCL Telephone conference with Manish Borde	0.20 AC
08/24/2016	RCL Telephone conference with trustee re: adversary proceeding	0.20 AC

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James/Breast Cancer Prevention Fund

		HOURS
08/31/2016	RCL	(1.4)
		Review Paton objection to State of Washington's claim; Telephone conference with Manish Borde ~ (0.2)
		1.60 AC
09/01/2016	RCL	(0.8)
		Conference with trustee
		0.20 AC
09/07/2016	RCL	(0.8)
		Review emails and adversary pleadings; Prepare email to Manish Borde
		1.00 AC
09/08/2016	RCL	(0.7)
		Conference with trustee re: mediation
		0.20 AC
09/12/2016	RCL	(0.8)
		Telephone conference with trustee re: claims
		0.20 AC
09/13/2016	RCL	(0.8)
		Telephone conference with Manish Borde
		0.20 AC
09/14/2016	RCL	(0.8)
		Telephone conference with trustee re: mediation
		0.20 AC
09/20/2016	RCL	(0.8)
		Telephone conference with Manish Borde re: costs
		0.20 AC
09/22/2016	RCL	(0.8)
		Telephone conference with trustee re: status
		0.20 AC
09/23/2016	RCL	(0.8)
		Telephone conference with trustee re: litigation; Telephone conference with Manish Borde; Prepare email to trustee
		0.60 AC
09/27/2016	RCL	(0.8)
		Review revised objection to claim of State of Washington; Prepare email to Manish Borde ~ (0.2)
		1.80 AC
09/28/2016	RCL	(0.8)
		Telephone conference with trustee re: objection to claim
		0.20 GA
10/04/2016	RCL	(0.8)
		Research re: joint prosecution agreement; Telephone conference with Manish Borde; Prepare email to trustee-(0.2)
		1.40 AC
10/05/2016	RCL	(0.8)
		Telephone conference with trustee re: State of Washington

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James/Breast Cancer Prevention Fund

			HOURS	
	claim; Prepare email to Manish Borde		0.40	AC
10/17/2016 RCL	(0.2) Review emails; Telephone conference with Richard Ginnis	(0.2)	0.40	AC
10/18/2016 RCL	Telephone conference with trustee re: lawsuit; Telephone conference with Manish Borde re: State of Washington	(0.2)	0.40	AC
10/26/2016 RCL	Telephone conference with trustee re: mediation		0.20	AC
10/31/2016 RCL	Telephone conference with Manish Borde re: mediation		0.20	AC
11/02/2016 RCL	Telephone conference with Manish Borde re: administrative costs		0.20	AC
11/03/2016 RCL	Telephone conference with trustee re: WKG costs		0.20	AC
11/04/2016 RCL (0.2)	Review State of Washington mediation statement; - Telephone conference with trustee; Prepare email to - (0.2) Manish Borde; Telephone conference with same - (0.2)	(0.8)	1.40	AC
11/08/2016 RCL	Review Williams Kastner motion re: expenses; Telephone conference with Manish Borde re: mediation - (0.3)	(0.5)	0.80	GLS AC
11/09/2016 RCL	Prepare email to Manish Borde		0.20	AC
11/11/2016 RCL	Review district court order; Telephone conference with Manish Borde; Research re: Section 704(a)(7) and parties in interest	(0.8)	1.60	AC
11/12/2016 RCL	Prepare emails to Manish Borde	(0.2)	0.40	AC
11/14/2016 RCL	Prepare email to trustee; Prepare emails to Bill Fitzharris re: estate; Telephone conference with trustee - (0.2)	(0.4)	0.80	GA

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James/Breast Cancer Prevention Fund

		HOURS	
	RCL Telephone conference with Richard Ginnis	0.20	TM
11/15/2016	RCL Review district court rulings	1.00	AC
11/16/2016	RCL Telephone conference with Manish Borde; Telephone conference with trustee - (0.2) - (0.2)	0.40	AC
11/17/2016	RCL Review private mediation submission; Telephone conference with Manish Borde / (0.6) - (0.2)	0.80	AC
11/18/2016	RCL Prepare email to Manish Borde	0.20	AC
11/22/2016	RCL Telephone conference with Manish Borde and Scott Henrie re: mediation	0.60	AC
11/23/2016	RCL Email traffic re: State of Washington claim; Telephone conferences with Manish Borde re: same; Prepare email to trustee; Review pleadings re: claim - (0.8) - (0.4) (0.8)	2.20	AC
11/28/2016	RCL Telephone conference with trustee, Scott Henrie and Manish Borde	1.00	AC
12/01/2016	RCL Review pleadings re: attorney general claim and objection; Conference with trustee; Telephone conference with same - (3.3) \ (0.5) \ (0.2)	4.00	AC
12/03/2016	RCL Review emails re: Attorney General claim	0.40	AC
12/12/2016	RCL Telephone conference with trustee re: status; Prepare emails to Manish Borde - (0.2) - (0.4)	0.60	AC
12/14/2016	RCL Telephone conference with trustee re: funds in the estate	0.20	GN
12/15/2016	RCL Telephone conference with Manish Borde; Telephone conference with trustee - (0.2) - (0.2)	0.40	AC

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James/Breast Cancer Prevention Fund

		HOURS
12/23/2016		
RCL	Review year end billing statement FOR CURRENT SERVICES RENDERED	<u>0.40</u> <u>GA</u> <u>103.40</u> <u>38,460.00</u>
	Photocopies	11.10
	TOTAL ADVANCES	<u>11.10</u>
	BALANCE DUE	<u><u>\$55,145.10</u></u>

Rory C. Livesey - \$375.00/hr
Patricia K. Johnson - \$150.00/hr

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James/Breast Cancer Prevention Fund

	PREVIOUS BALANCE	
	\$55,145.10	

		HOURS
01/04/2017	RCL Telephone conference with trustee re: Attorney General's claim	0.20 Ac
01/05/2017	RCL Review district court decision	0.40 Ac
01/06/2017	RCL Telephone conference with trustee re: status	0.20 Gd
01/10/2017	RCL Review emails re: litigation experts	0.20 Ac
01/12/2017	RCL Prepare email to Manish Borde	0.20 Ac
01/19/2017	RCL Conference with Manish Borde re: litigation (0.4); Telephone conference with trustee (0.2)	0.60 Ac
01/25/2017	RCL Telephone conference with trustee re: administrative fees (0.2); Review district court order (0.6)	0.80 Ac
01/26/2017	RCL Telephone conference with Manish Borde and Scott Henrie re: litigation (1.0); Review latest district court order (0.6)	1.60 Ac
01/27/2017	RCL Telephone conference with trustee re: State of Washington claim (0.2); Review special counsel's correspondence to court (0.4)	0.60 Ac

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James/Breast Cancer Prevention Fund

		HOURS
01/31/2017	RCL Review correspondence re: attorney general's claim (0.2); Telephone conference with trustee (0.2)	0.40 AC
02/01/2017	RCL Review correspondence (0.1); Telephone conference with trustee (0.1)	0.20 AC
02/02/2017	RCL Prepare emails to Manish Borde	0.40 AC
02/03/2017	RCL Review district court order	0.20 AC
02/08/2017	RCL Review motion for reconsideration in district court (0.4); Prepare email to Manish Borde (0.2)	0.60 AC
02/09/2017	RCL Review Clark Nuber motion for reconsideration (0.4); Prepare email to Manish Borde (0.2)	0.60 AC
02/10/2017	RCL Review motion to intervene by Clark Nuber (1.0); Telephone conference with trustee (0.2)	1.20 AC
02/21/2017	RCL Prepare email to Manish Borde (0.2); Telephone conference with same (0.2)	0.40 AC
02/22/2017	RCL Review district court order on motion for reconsideration	0.20 AC
02/23/2017	RCL Review trustee's response to Clark Nuber's motion to intervene (0.4); Prepare email to Manish Borde re: same (0.2); Review Attorney General's response (0.2)	0.80 AC
02/24/2017	RCL Telephone conference with trustee re: various matters	0.20 GA
03/07/2017	RCL Review correspondence re: mediation (0.8); Telephone conference with Manish Borde re: same (0.2)	1.00 AC

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James/Breast Cancer Prevention Fund

		HOURS
03/08/2017	RCL Telephone conference with Manish Borde	0.20 AC
03/09/2017	RCL Telephone conference with trustee (0.2); Prepare email to Manish Borde (0.2)	0.40 AC
03/10/2017	RCL Conference call with trustee, Manish Borde and Scott Henrie (1.0); Telephone conference with trustee (0.2)	1.20 AC
03/11/2017	RCL Review correspondence re: mediation (0.2); Prepare email to Manish Borde (0.2)	0.40 AC
03/17/2017	RCL Review Clark Nuber objection to Attorney General's claim (0.4); Telephone conference with Scott Henrie and Manish Borde (0.4)	0.80 AC
03/18/2017	RCL Prepare email to trustee	0.20 AC
03/20/2017	RCL Telephone conference with trustee re: State of WA claim	0.20 AC
03/21/2017	RCL Telephone conference with Manish Borde (0.2); Telephone conference with Richard Ginnis (0.2)	0.40 TM
03/22/2017	RCL Telephone conference with trustee	0.20 GA
03/23/2017	RCL Review draft summary judgment motion re: Attorney General claim (1.4); Telephone conferences with trustee re: same (0.4); Conference call with trustee and Manish Borde (0.6)	2.40 AC
03/27/2017	RCL Review final summary judgment motion re: attorney general's claim (0.8); Telephone conference with trustee (0.2); Telephone conference with Manish Borde (0.2)	1.20 AC
03/28/2017	RCL Telephone conference with trustee	0.20 GA

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James/Breast Cancer Prevention Fund

		HOURS
03/30/2017	RCL Telephone conference with trustee	0.20 GA
04/09/2017	RCL Review emails re: expert witness recusal (0.2); Prepare email to Manish Borde re: same (0.2)	0.40 AC
04/10/2017	RCL Telephone conference with Manish Borde (0.4); Telephone conference with trustee (0.2)	0.60 AC
04/25/2017	RCL Telephone conference with trustee re: Attorney General claim (0.2); Telephone conference with Manish Borde (0.2); Prepare email to trustee (0.2)	0.60 AC
04/26/2017	RCL Prepare email to Manish Borde (0.2); Telephone conference with trustee (0.2)	0.40 AC
05/02/2017	RCL Review correspondence with Clark Nuber's counsel re: witness tampering	0.20 AC
05/10/2017	RCL Review pleadings re: Attorney General's claim hearing	0.60 AC
05/22/2017	RCL Telephone conference with trustee re: continued settlement conference	0.20 AC
05/26/2017	RCL Telephone conference with Manish Borde	0.40 AC
05/30/2017	RCL Prepare email to Manish Borde	0.20 AC
05/31/2017	RCL Telephone conference with trustee re: mediation	0.20 AC
06/01/2017	RCL Review pleadings re: State of Washington claims (0.8); Review emails re: possible settlement parameters (0.2)	1.00 AC

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ACCOUNT NO: 2025-00

James/Breast Cancer Prevention Fund

		HOURS
06/05/2017	RCL Review various pleadings in adversary	1.60 AC
06/06/2017	RCL Telephone conference with trustee re: mediation	0.20 AC
06/07/2017	RCL Telephone conference with trustee re: pending motion	0.20 AC
06/08/2017	RCL Attend hearing on State of Washington's claim (1.6); Prepare email to trustee (0.2)	1.80 AC
06/13/2017	RCL Telephone conference with Richard Ginnis re: state taxes	0.20 TM
06/14/2017	RCL Telephone conference with trustee re: mediation	0.20 AC
06/15/2017	RCL Telephone conferences with Richard Ginnis (0.6); Conference call with trustee (1.2), Scott Henrie and Manish Borde; Prepare email to trustee (0.2)	2.00 TM .6 AC 1.4
06/16/2017	RCL Review mediation submissions (0.8); Telephone conference with trustee (0.2)	1.00 AC
06/19/2017	RCL Telephone conference with Manish Borde (0.2); Prepare email to same (0.2); Telephone conference with trustee (0.2)	0.60 AC
06/22/2017	RCL Review correspondence re: mediation (0.6); Conference with trustee (0.6)	1.20 AC
06/23/2017	RCL Telephone conference with Manish Borde re: mediation (0.8); Telephone conference with trustee re: settlement discussions (0.4)	1.20 AC
06/29/2017	RCL Telephone conference with trustee re: lawsuit	0.20 AC

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James/Breast Cancer Prevention Fund

		HOURS
06/30/2017	RCL Prepare email to Manish Borde (0.2); Telephone conference with trustee re: various matters (0.2)	0.40 AC-2 GA-2
07/03/2017	RCL Prepare email to Manish Borde	0.20 AC
07/05/2017	RCL Telephone conference with trustee and special counsel (1.2); Telephone conference with Richard Ginnis (0.4)	1.60 AC
07/06/2017	RCL Telephone conference with trustee re: settlement proposal	0.40 AC
07/10/2017	RCL Review Paton offer (0.4); Prepare email to Manish Borde (0.2)	0.60 AC
07/11/2017	RCL Prepare email to Manish Borde (0.2); Telephone conference with trustee (0.2); Telephone conference with Richard Ginnis (0.2); Conference call with trustee, Manish Borde and Scott Henrie (1.0)	1.60 AC
07/12/2017	RCL Prepare email to Richard Ginnis	0.20 TM
07/13/2017	RCL Conference with trustee (0.2); Prepare emails to Manish Borde (0.4); Review settlement proposal (0.4); Review pleadings re: insurance (0.2)	1.20 AC
07/14/2017	RCL Prepare email to Manish Borde (0.2); Review trustee's settlement offer (0.2)	0.40 AC
07/17/2017	RCL Telephone conferences with trustee (0.4); Telephone conference with Manish Borde (0.2); Prepare email to Richard Ginnis (0.2)	0.80 AC
07/18/2017	RCL Review Paton counteroffer (0.2); Telephone conference with Richard Ginnis (0.2); Telephone conference with trustee (0.2)	0.60 AC

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James/Breast Cancer Prevention Fund

		HOURS
07/19/2017	RCL Prepare email to Scott Henrie (0.2); Conference call with trustee and Manish Borde (0.6)	0.80 AC
07/21/2017	RCL Telephone conference with trustee (0.2); Prepare emails to Manish Borde (0.4); Telephone conference with same (0.4)	1.00 AC
07/24/2017	RCL Prepare email to Manish Borde	0.20 AC
07/25/2017	RCL Prepare email to Manish Borde (0.2); Conference call with trustee, Scott Henrie and Manish Borde (0.6)	0.80 AC
07/26/2017	RCL Email traffic re: issues (0.6); Telephone conference with Manish Borde (0.2); Conference call with Manish Borde and Richard Ginnis (1.0); Telephone conference with trustee (0.2)	2.00 TM
07/27/2017	RCL Prepare email to Manish Borde	0.20 AC
07/28/2017	RCL Telephone conference with Richard Ginnis	0.20 TM
08/02/2017	RCL Prepare emails to Richard Ginnis (0.4); Telephone conference with trustee (0.2)	0.60 TM
08/03/2017	RCL Telephone conference with Manish Borde and Richard Ginnis	0.60 TM
08/07/2017	RCL Telephone conference with trustee re: taxes	0.20 TM
08/08/2017	RCL Telephone conference with trustee re: settlement	0.20 AC
08/09/2017	RCL Telephone conference with trustee re: status of settlement negotiations	0.20 AC

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James/Breast Cancer Prevention Fund

			HOURS
08/10/2017	RCL	Telephone conference with Richard Ginnis (0.4); Prepare email to Manish Borde (0.2); Conference with trustee, Scott Henrie and Manish Borde (1.6)	2.20 TM .4 AC 1.8
08/11/2017	RCL	Telephone conference with trustee re: settlement	0.20 AC
08/21/2017	RCL	Review settlement correspondence (0.4); Telephone conference with trustee (0.2)	0.60 AC
08/22/2017	RCL	Review emails (0.2); Conference call with trustee and special counsel (0.8)	1.00 AC
08/23/2017	RCL	Telephone conference with Richard Ginnis (0.2); Telephone conference with trustee (0.2); Telephone conference with Bruce Devereaux re: consulting (0.2)	0.60 TM
08/25/2017	RCL	Review Freestone limited partnership agreement	0.60 GA
08/29/2017	RCL	Review court's memorandum opinion re: summary judgment motion (1.8); Review emails (0.2); Prepare email to Manish Borde (0.2)	2.20 AC
08/30/2017	RCL	Telephone conference with trustee (0.2); Review files and documents (0.6); Research re: restrictions on transfer (0.8); Conference call with trustee, Manish Borde and Scott Henrie (1.2)	2.80 AC
08/31/2017	RCL	Telephone conference with trustee re: settlement	0.20 AC
09/01/2017	RCL	Telephone conference with Manish Borde	0.20 AC
09/04/2017	RCL	Prepare email to trustee	0.20 AC
09/05/2017	RCL	Telephone conference with trustee re: settlement	

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James/Breast Cancer Prevention Fund

		HOURS
	prospects (0.2); Telephone conference with Richard Ginnis (0.2)	0.40 TM
09/12/2017	RCL Telephone conference with trustee re: status	0.20 AC
09/15/2017	RCL Telephone conference with trustee re: various matters	0.20 GA
09/23/2017	RCL Review Paton financials (0.4); Review emails re: same (0.2); Prepare emails to trustee (0.2)	0.80 AC
09/26/2017	RCL Review emails re: Paton finances (1.0); Telephone conference with Manish Borde (0.4); Prepare email to trustee (0.2)	1.60 AC
09/28/2017	RCL Telephone conference with trustee re: settlement proposal (0.4); Conference call with trustee, Manish Borde and Scott Henrie (1.6)	2.00 AC
09/29/2017	RCL Telephone conference with trustee re: various matters (0.2); Telephone conference with Richard Ginnis (0.2)	0.40 GT .2 TM .2
10/02/2017	RCL Review exhibit and witness list for evidentiary hearing (0.2); Review emails re: same (0.2)	0.40 AC
10/03/2017	RCL Telephone conference with trustee re: possible settlement terms	0.20 AC
10/04/2017	RCL Telephone conference with Richard Ginnis	0.20 TM
10/07/2017	RCL Review draft settlement agreement with Clark Nuber (0.8); Prepare email to Manish Borde re: same (0.2)	1.00 AC
10/08/2017	RCL Prepare email to Manish Borde re: settlement	0.20 AC

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James/Breast Cancer Prevention Fund

		HOURS
10/09/2017	RCL Prepare email to Manish Borde (0.2); Telephone conference with trustee (0.2)	0.40 AC
	RCL Telephone conference with trustee, Scott Henrie and Manish Borde (1.2); Prepare email to Richard Ginnis (0.2); Telephone conference with Manish Borde (0.4)	1.80 AC 1.6 TM .2
	RCL Prepare email to Bruce Devereaux re: employment (0.2); Prepare declaration of no adverse interest for same (0.2); Prepare motion and order authorizing employment of tax consultant (0.4)	0.80 TM
10/10/2017	RCL Review proposed Paton settlement (0.6); Telephone conference with Manish Borde (0.4); Review Paton financials (1.6); Telephone conference with Richard Ginnis (0.2)	2.80 AC
	RCL Telephone conference with Manish Borde re: agreement with State of Washington (0.6); Prepare email to Richard Ginnis (0.2)	0.80 AC .6 TM .2
10/11/2017	RCL Review draft of settlement agreement with Attorney General's Office (0.4); Prepare emails to Manish Borde re: same (0.4)	0.80 AC
	RCL Review revised draft of settlement agreement with Paton (0.4); Review revised settlement agreement with Clark Nuber (0.4)	0.80 AC
	RCL Prepare email to Bruce Devereaux re: employment (0.2); Telephone conference with trustee (0.2)	0.40 TM
	PKJ Prepare e-mail to UST with proposed documents to hire tax consultant	0.10 GA
10/13/2017	RCL Telephone conference with trustee re: accounting issues (0.2); Telephone conference with Manish Borde re: settlement (0.4)	0.60 TM .2 AC 4
10/14/2017	RCL Review revised State of Washington settlement agreement (0.2); Prepare email to Manish Borde (0.2)	0.40 AC

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James/Breast Cancer Prevention Fund

		HOURS
10/16/2017	RCL Telephone conference with trustee (0.2); Telephone conference with Richard Ginnis (0.2); Prepare emails to parties re: conference call (0.2)	0.60 TM
10/17/2017	RCL Telephone conference with trustee (0.2); Conference call with trustee, Richard Ginnis and Scott Henrie (0.6)	0.80 TM
	PKJ Electronically file and docket motion, declaration and order to employ tax consultant	0.20 GA
10/18/2017	RCL Review revised Paton agreement (0.4); Conference call with trustee, Scott Henrie, Manish Borde and Richard Ginnis (0.6)	1.00 AC .4 TM .6
	RCL Prepare emails to Bruce Devereaux re: employment (0.4); Telephone conference with trustee re: settlement (0.2)	0.60 TM .4 AC .2
10/26/2017	PKJ Prepare email to Manish Borde re: document needed for settlement	0.10 GA
10/30/2017	RCL Telephone conference with trustee (0.2); Review final settlement agreement (1.6); Prepare email to trustee (0.2)	2.00 AC
	RCL Telephone conference with Richard Ginnis (0.2); Prepare email to Bruce Devereaux re: tax implications of settlement (0.4)	0.60 TM
10/31/2017	RCL Telephone conference with Scott Henrie re: settlement (0.2); Telephone conference with trustee (0.2); Review Bruce Devereaux tax analysis (1.0); Telephone conference with Richard Ginnis re: same (0.2)	1.60 TM
	RCL Prepare email to Bruce Devereaux (0.2); Telephone conference with trustee (0.2); Prepare email to same (0.2)	0.60 TM
11/01/2017	RCL Telephone conference with trustee re: settlement (0.2); Research re: Section 502(b) (0.8); Prepare email to Scott Henrie and Manish Borde re: settlement (0.2); Telephone	

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James/Breast Cancer Prevention Fund

		HOURS	
	conference with trustee re: same (0.2)	1.40	AC
11/02/2017	RCL Prepare email to Dick Wotipka re: former director's claim (0.2); Prepare email to trustee re: same (0.2)	0.40	GA
	RCL Prepare email to Manish Borde (0.2); Review motion re: settlement (0.4); Telephone conference with Manish Borde (0.2)	0.80	AC
11/03/2017	RCL Review revised motion and order re: settlement and special counsel's expenses (0.4); Review draft declaration of trustee (0.2); Telephone conference with same (0.2); Prepare email to Scott Henrie (0.2)	1.00	AC
	RCL Review former directors' claims (0.6); Review final pleadings re: settlement and fees (0.2); Telephone conference with Scott Henrie (0.2); Prepare email to same (0.2)	1.20	GA .6 AC .6
11/04/2017	RCL Prepare email to Scott Henrie	0.20	AC
11/06/2017	RCL Prepare email to Manish Borde re: directors' claims (0.2); Telephone conference with trustee (0.2)	0.40	GA
11/08/2017	RCL Telephone conference with Richard Ginnis (0.2); Prepare email to trustee (0.2)	0.40	TM
11/10/2017	RCL Telephone conference with trustee re: hearing on settlement	0.20	AC
11/17/2017	RCL Telephone conference with trustee re: settlement	0.20	AC
11/22/2017	RCL Telephone conference with trustee re: hearing on settlement (0.4); Telephone conference with Manish Borde re: same (0.2); Prepare email to trustee (0.2)	0.80	AC
11/27/2017	RCL Telephone conference with Richard Ginnis re: settlement		

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James/Breast Cancer Prevention Fund

		HOURS
	(0.2); Review pleadings and settlement agreements re: hearing (1.2); Attend hearing on settlement and payment of special counsel (1.0)	2.40 TM .2 AC 2.2
11/28/2017	RCL Prepare email to Richard Ginnis re: hearing (0.2); Review files re: director claims (0.4); Prepare email to Manish Borde re: same (0.2)	0.80 TM .2 GA .6
11/29/2017	RCL Telephone conference with Manish Borde re: settlement (0.2); Prepare email to trustee (0.2)	0.40 AC
11/30/2017	RCL Telephone conference with trustee re: settlement	0.20 AC
12/01/2017	RCL Review emails re: concluding settlement	0.20 AC
	RCL Telephone conference with Manish Borde re: settlement (0.4); Telephone conference with trustee re: same (0.2); Prepare email to trustee (0.2); Telephone conference with Richard Ginnis (0.2)	1.00 AC .8 TM .2
12/04/2017	RCL Review emails re: settlement (0.3); Review title reports for Paton property (0.5)	0.80 AC
12/08/2017	RCL Telephone conference with trustee re: settlement (0.2); Prepare email to Manish Borde (0.2)	0.40 AC
12/12/2017	RCL Telephone conference with trustee re: Freestone Capital payments	0.20 AC
12/14/2017	RCL Telephone conference with Richard Ginnis re: administrative fees	0.20 GA
12/15/2017	RCL Telephone conference with trustee re: settlement	0.20 AC
12/19/2017	RCL Telephone conference with Scott Henrie	0.20 AC

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James/Breast Cancer Prevention Fund

		HOURS
12/21/2017		
RCL	Telephone conference with Manish Borde re: settlement documents	0.20 AC
12/22/2017		
RCL	Telephone conference with Richard Ginnis	0.20 TM
12/23/2017		
RCL	Review year end billing statement	0.40 GA
12/28/2017		
RCL	Prepare email to Bruce Devereaux re: fees (0.2); Telephone conference with trustee (0.2)	0.40 GA
	FOR CURRENT SERVICES RENDERED	<u>100.60</u> <u>37,635.00</u>

Photocopies	3.30
Pacer Charges	0.90
TOTAL ADVANCES	4.20

BALANCE DUE	<u>\$92,784.30</u>
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Rory C. Livesey - \$375.00/hr
Patricia K. Johnson - \$150.00/hr

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James/Breast Cancer Prevention Fund

PREVIOUS BALANCE	\$92,784.30
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		HOURS	
01/02/2018	RCL	Prepare email to Bruce Devereaux (0.2); Prepare emails to Richard Ginnis re: 2017 tax returns (0.4)	0.60 <i>Tm</i>
01/03/2018	RCL	Telephone conference with Richard Ginnis re: tax returns	0.40 <i>Tm</i>
01/04/2018	RCL	Review files and records re: motions to allow claims and pay creditors and allow administrative expenses (2.0); Telephone conference with trustee re: same (0.2); Telephone conference with Manish Borde re: settlement (0.2); Telephone conference with trustee re: same (0.2)	2.60 <i>GA</i>
01/08/2018	RCL	Telephone conference with trustee re: tax returns (0.2); Telephone conference with Richard Ginnis re: same (0.2)	0.40 <i>Tm</i>
01/09/2018	RCL	Telephone conference with Richard Ginnis re: 2017 tax return	0.20 <i>Tm</i>
01/10/2018	RCL	Telephone conference with trustee re: tax returns	0.20 <i>Tm</i>
01/16/2018	RCL	Telephone conference with Richard Ginnis re: tax returns	0.20 <i>Tm</i>
01/18/2018	RCL	Telephone conference with trustee re: disbursement	0.20 <i>GA</i>

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02/28/2018

ACCOUNT NO: 2025-00

James/Breast Cancer Prevention Fund

			HOURS
01/24/2018	RCL	Telephone conference with trustee re: tax returns (0.2); Telephone conference with accountant (0.2)	0.40 <i>TM</i>
01/29/2018	RCL	Prepare email to trustee	0.20 <i>GA</i>
02/01/2018	RCL	Prepare email to Dick Wotipka re: directors' claims (0.2); Review files re: claims and motion to disburse (0.6); Review settlement agreement (0.6)	1.40 <i>GA</i>
02/02/2018	RCL	Telephone conference with trustee re: paying claims (0.2); Telephone conference with Richard Ginnis re: tax returns (0.2)	0.40 <i>GA-0.2</i> <i>TM-0.2</i>
02/05/2018	RCL	Prepare email to Manish Borde re: Legacy claim	0.20 <i>GA</i>
02/12/2018	RCL	Telephone conference with trustee re: fees, claims and disbursement (0.4); Begin review of files re: motion to disburse and claims (0.4)	0.80 <i>GA</i>
	RCL	Telephone conference with Richard Ginnis	0.20 <i>TM</i>
02/13/2018	RCL	Prepare emails to trustee re: claims (0.4); Telephone conference with same (0.2)	0.60 <i>GA</i>
	RCL	Prepare notice, motion and order re: claims (0.8); Prepare objection to claim (0.2); Prepare notice, motion and order re: disbursement (0.4); Prepare notice and order re: interim fees (0.4); Prepare notice, motion and order re: trustee's compensation (0.4); Prepare email to trustee (0.2)	2.40 <i>GA</i>
02/14/2018	RCL	Prepare email to trustee re: fees (0.2); Prepare email to Aric Bomsztyk (0.2); Telephone conference with Dick Wotipka re: directors' claims (0.2)	0.60 <i>GA</i>
	RCL	Review and revise motions re: claims, disbursement, future disbursements and trustee's fees (1.4); Prepare email to Richard Ginnis (0.2); Prepare email to trustee (0.2)	1.80 <i>GA</i>

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ACCOUNT NO: 2025-00

James/Breast Cancer Prevention Fund

		HOURS	
	RCL Prepare email to Bruce Devereaux re: fee hearing (0.2); Prepare email to trustee (0.2)	0.40	GA
02/15/2018	RCL Telephone conference with trustee re: claims, disbursement and fees (0.4); Finalize motions re: same (0.2); Telephone conference with Malia Pready re: directors' claims (0.2)	0.80	GA
	RCL Prepare email to trustee re: disbursement motions	0.20	GA
	PKJ Electronically file and docket objection to claim of Legacy Telemarketing	0.10	GA
02/17/2018	RCL Review files re: fee application (1.0); Prepare interim fee application (1.6)	2.60	GA
02/19/2018	RCL Telephone conference with trustee re: fees and disbursement	0.20	GA
02/20/2018	RCL Telephone conference with Richard Ginnis re: tax returns	0.20	TM
02/21/2018	RCL Prepare email to trustee re; motion to pay creditors	0.40	GA
02/23/2018	RCL Telephone conference with trustee re: disbursement (0.2); Review Vincent and Wood motion re: allowing administrative claims (0.4)	0.60	GA
02/26/2018	RCL Prepare email to Manish Borde re: directors' claims (0.2); Telephone conference with trustee re: disbursements (0.2); Telephone conference with Andrew Weinberg, attorney for Jim Sheehan (0.2)	0.60	GA
	RCL Telephone conference with trustee re: motions on claims and disbursement (0.2); Prepare email to trustee re: same (0.2); Review and revise motions and fee application (0.4)	0.80	GA
	FOR CURRENT SERVICES RENDERED	20.70	7,740.00

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James/Breast Cancer Prevention Fund

Photocopies	5.55
TOTAL ADVANCES	<u>5.55</u>
 BALANCE DUE	 <u>\$100,529.85</u>

Rory C. Livesey - \$375.00/hr
Patricia K. Johnson - \$150.00/hr